

AGENDA BILL**Beaverton City Council
Beaverton, Oregon****SUBJECT:** Contract Award – ADA Curb Ramp Retrofit Upgrade Project**FOR AGENDA OF:** 05-11-21 **BILL NO:** 21122**CITY MANAGER'S APPROVAL:** **DEPARTMENT OF ORIGIN:** Public Works Chad Lynn**DATE SUBMITTED:** 05-04-21

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|--------------------|---------------|------------|
| CLEARANCES: | City Attorney | <u>WBK</u> |
| | Purchasing | <u>TLM</u> |
| | Finance | <u>PO</u> |
| | Engineering | <u>GH</u> |

PROCEEDING: CONSENT AGENDA
CONTRACT REVIEW BOARD**EXHIBITS:** 1. Bid Summary**BUDGET IMPACT**

| | | |
|-------------------------------------|---------------------------------|---------------------------------------|
| EXPENDITURE REQUIRED \$1,423,368 | AMOUNT BUDGETED \$1,000,000* | APPROPRIATION REQUIRED \$423,000** |
|-------------------------------------|---------------------------------|---------------------------------------|

*Account Number 101-85-0732-449 – Street Fund – Street Maintenance Program – ADA Ramp Retrofit Expense Account. The Recommended FY 2021-22 Budget, if adopted, includes \$1 Million in the ADA Ramp Retrofit program. The Recommended FY 2021-22 Budget will be presented to and deliberated by the Budget Committee in May 2021 and forwarded to the City Council for adoption on June 15, 2021.

** The \$423,000 Appropriation Required amount will be offset with an estimated \$260,000 expected carryover of unspent appropriations in Account 449 from this fiscal year (FY 2020-21) into next fiscal year as part of the November 2021 Supplemental Budget process. The remaining \$163,368 needed appropriation will be included in either the November 2021 or May 2022 Supplemental Budget as an additional appropriation request.

RECOMMENDED ACTION:

Council acting as Contract Review Board, awards the contract to the low bidder, Brown Contracting, Inc., of Eugene, Oregon in the amount of \$1,423,368.00 in a form approved by the City Attorney, as the lowest responsive bid received for the ADA Curb Ramp Retrofit Upgrade project and approves.

Direct the Finance Director to include the FY 2021-22 \$1 Million appropriation identified in the above Budget Impact Section in the Recommended FY 2021-22 Budget that will be presented to and deliberated by the Budget Committee in May 2021, and forwarded to the City Council for adoption on June 15, 2021, submit the \$260,000 estimated carryover of unspent appropriations in Account 449 in the November 2021, Supplemental Budget, and submit the estimated \$163,368 additional appropriation in either the November 2021, or May 2022, Supplemental Budget.

ISSUE STATEMENT SUMMARY:

The invitation for bid was advertised in the *Daily Journal of Commerce* on April 5, 2021. A mandatory pre bid meeting was held on April 14, at 2:00 p.m., via a Microsoft Team Meeting. Ten (10) contractors attended the mandatory pre-bid meeting. Three (3) bids were received and opened on April 29, at 2:00

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p.m., Via a Microsoft Teams Meeting. The low bid was received from Brown Contracting, Inc., of Eugene Oregon. Brown Contracting, Inc., meets all of the qualifications in the bid specifications.

The City has approximately 7,254 ADA ramps that need to be upgraded. At a cost per ramp of \$7,500 to \$8,500, the total estimate cost to upgrade all ramps is \$54,405,000 to \$61,659,000 and would take 57 years to complete at the current annual rate if you don't account for increase in material and labor costs.

Subsequently, ADA ramp upgrade projects will be needed for the foreseeable future in order to complete the City's ADA Transition Plan.

In recent years, the City has also undertaken efforts to identify and prioritize areas needing sidewalk improvement. Property owners also continually request that the City provide them with an easy way to streamline their efforts to replace sidewalks adjacent to their property. This contract gives property owners the option to use the City's bid schedule prices to replace sidewalk panels if the panels are within 1,000 feet of the City's ADA retrofit ramp work. This will allow homeowners near City projects to have instant price quotes. It also quickens the process for sidewalk replacements in the City as the City is already working nearby to upgrade ADA ramps. Homeowners will thereafter pay the City the cost for that sidewalk replacement.

HISTORICAL PERSPECTIVE:

Title II of the Americans with Disabilities Act (ADA) requires local governments ensure that persons with disabilities have access to the pedestrian routes in the public right of way. An important part of this requirement is the obligation whenever streets, roadways are altered to provide curb ramps where street level pedestrian walkways cross curbs. This requirement is intended to ensure the accessibility and usability of the pedestrian walkway for persons with disabilities.

In 2018, the City of Beaverton conducted a comprehensive self-evaluation of its programs, services, and activities to update its 1995 Transition Plan. Periodic updates and re-evaluations are necessary to comply with the requirements of Title II of the Americans with Disabilities Act (ADA). In 2018, the results of the self-evaluation uncovered that the City of Beaverton has approximately 8,376 ADA ramps within the City right-of-way and 573 met accessibility criteria. The Joint Technical Assistance under the Department of Justice states that "resurfacing is and alterations that triggers the requirement to add curb ramps if it involves work on a street or roadway spanning from one intersection to another."

While the City, like all local governments, has competing demands on its limited resources, the City has consistently allocated funding through the budget process to measurably advance this priority. Currently, unless special funding is allocated, the primary source of funding for ADA improvements to the public right-of-way is the street fund. In the coming years, the City expects to at least maintain this level of funding per the Transition Plan.

2021-2022 Street Profiling Project for In-House Overlay triggers the City of Beaverton to add and update existing 167 ADA ramps.

2018 ADA Transition Plan states the City's rolling five year maintenance plan for 2021-22 would likely upgrade 256 ramps for \$1,536,000.00.

COMMUNITY VISION/COUNCIL GOALS/MASTER PLANS:

Retrofitting ADA ramps is one of the major action items for the City's adopted ADA Transition Plan.

For more information on this contract please contact Public Works – Operations Division. Chris Larson
clarson@BeavertonOregon.gov

EXHIBIT 1

DocuSign Envelope ID: 6430C80F-93D6-4BD7-B84A-0CE726BBD447

City of Beaverton

BID SUMMARY**Project Name: Construction of ADA Curb Ramp Retrofit Upgrade Project #3767-21****OPENED ON: April 29th, 2021 @ 2:00 PM****WITNESSED BY: Terry Muralt**

| VENDOR NAME CITY, STATE | Bid Form | Bid Proposal Certification - Ack. Addenda | Bid Bonds | Bidder Construction Schedule | Current Project Information Form | DUE BY 4:00 PM | | | TOTAL BID |
|---------------------------------|----------|---|-----------|------------------------------------|-------------------------------------|---|------------|----------------------------------|----------------|
| | | | | | | First-Tier Subcontractor Disclosure | GFE Form 1 | Bidder Responsibility Form | |
| Brown Contracting, Inc. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | \$1,423,368 |
| D&D Concrete & Utilities, Inc.. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | \$1,576,805.40 |
| Carter & Company, Inc. | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | ✓ | \$1,742,276.24 |
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* - Denotes a non-responsive bid

The Purchasing process has been confirmed.

Signed: Robert Lowe
Finance Department, Purchasing DivisionThe above amounts have been checked: **YES** NODate: 04/29/2021